IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE CHATTANOOGA DIVISION

ALLINE E. GOINS and husband JACK D. GOINS, II,)	
Plaintiffs,)	
v.) Case No	
ASHLAND GARDEN APARTMENTS and CEDAR LAKE, LLC,)))	
Defendants.)	

NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE

Defendant, Cedar Lake, LLC pursuant to 28 U.S.C. §§ 1441 and 1446, files this Notice of Removal of this action commenced in the Circuit Court for Hamilton County, Tennessee, No. 17C1205 to the United States District Court for the Eastern District of Tennessee. In support of this Notice of Removal, defendant would show:

- 1. Cedar Lake, LLC is named as a defendant in this civil action commenced in the Circuit Court for Hamilton County, Tennessee, styled *Alline E. Goins v. Cedar Lake, LLC d/b/a Ashland Gardens Apartments*. A copy of the Summons and Complaint are attached hereto as "Exhibit A" and are incorporated herein by reference. This attachment constitutes all process, pleadings, and orders served upon this defendant in the action. Although the complaint names "Ashland Garden Apartments" as a defendant, there is no legal entity with this name and defendant Cedar Lake, LLC is the owner of property known as Ashland Garden Apartments.
- 2. The foregoing action was filed on November 2, 2017 and served upon defendant's employee by mail on November 8, 20917. This Notice of Removal is filed within thirty (30)

days of the date of receipt by service or otherwise of a copy of the initial pleading by defendant.

The time for the defendant to answer or otherwise respond to the Complaint has not expired.

- 3. This Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332, in that the parties are of diverse citizenship and the matter in controversy is alleged to exceed \$75,000.00, exclusive of interest and costs.
 - 4. Plaintiffs are citizens of the State of Tennessee.
- 5. Defendant is a corporation incorporated under the laws of the State of Minnesota having its principal place of business in the State of Minnesota.
 - 6. The amount in controversy exceeds \$75,000.00, exclusive of interest and costs.
- 7. The above-described action is one which may be removed to this Court by defendant pursuant to the provisions of 28 U.S.C. §§ 1441 and 1446.
- 8. Concurrent with the filing and service of this Notice of Removal, defendant has served a Notice of Filing Notice of Removal upon plaintiffs and upon the Clerk of the Circuit Court for Hamilton County, Tennessee, for filing in this action, together with a copy of this Notice of Removal.

WHEREFORE, defendants pray that this action now pending in the Circuit Court for Hamilton County, Tennessee be removed to the United States District Court for the Eastern District of Tennessee, Chattanooga Division for all further proceedings.

/s/ William B. Jakes, III

WILLIAM B. JAKES, III, #10247 HOWELL & FISHER, PLLC

Court Square Building 300 James Robertson Parkway Nashville, Tennessee 37201-1107 (615) 244-3370 Attorneys for Defendant Cedar Lake d/b/a Ashland Gardens Apartments

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing by postage prepaid, U.S. Mail upon the

following:

Ryan M. Womack Warren & Griffin, P.C. 736 Georgia Avenue, Suite 600 Chattanooga, TN 37402

this the 27th day of November, 2017.

/s/ William B. Jakes, III

WILLIAM B. JAKES, III